



General Assembly

February Session, 2002

***Raised Bill No. 5153***

LCO No. 550

Referred to Committee on Public Health

Introduced by:  
(PH )

***AN ACT CONCERNING WATER SUPPLY PLANS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 25-32d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) Each water company, as defined in section 25-32a, and supplying  
4 water to one thousand or more persons or two hundred fifty or more  
5 consumers and any other water company as defined in said section  
6 requested by the Commissioner of Public Health shall submit a water  
7 supply plan to the Commissioner of Public Health for approval with  
8 the concurrence of the Commissioner of Environmental Protection. The  
9 concurrence of the Public Utilities Control Authority shall be required  
10 for approval of a plan submitted by a water company regulated by the  
11 authority. The Commissioner of Public Health shall consider the  
12 comments of the Public Utilities Control Authority on any plan which  
13 may impact any water company regulated by the authority. The  
14 Commissioner of Public Health shall distribute a copy of the plan to  
15 the Commissioner of Environmental Protection and the Public Utilities  
16 Control Authority. A copy of the plan shall be sent to the Secretary of  
17 the Office of Policy and Management for information and comment. A

18 plan shall be revised at such time as the water company filing the plan  
19 or the Commissioner of Public Health determines or at intervals of not  
20 less than three years nor more than five years after the date of initial  
21 approval.

22 (b) Any water supply plan submitted pursuant to this section shall  
23 evaluate the water supply needs in the service area of the water  
24 company submitting the plan and propose a strategy to meet such  
25 needs. The plan shall include: (1) A description of existing water  
26 supply systems; (2) an analysis of future water supply demands; (3) an  
27 assessment of alternative water supply sources which may include  
28 sources receiving sewage and sources located on state land; (4)  
29 contingency procedures for public drinking water supply emergencies,  
30 including emergencies concerning the contamination of water, the  
31 failure of a water supply system or the shortage of water; (5) a  
32 recommendation for new water system development; (6) a forecast of  
33 any future land sales, an identification which includes the acreage and  
34 location of any land proposed to be sold, sources of public water  
35 supply to be abandoned and any land owned by the company which it  
36 has designated, or plans to designate, as class III land; (7) provisions  
37 for strategic groundwater monitoring; [and] (8) an analysis of the  
38 impact of water conservation practices and a strategy for  
39 implementing supply and demand management measures; and (9) a  
40 source water assessment analysis that includes recommended source  
41 protection measures for all sources of water supply, including the  
42 identification of critical lands to be protected and incompatible land  
43 use activities with the potential to contaminate a public drinking water  
44 source.

45 (c) For security and safety reasons, procedures for sabotage  
46 prevention and response shall be provided separately from the water  
47 supply plan as a confidential document to the Department of Public  
48 Health. Such procedures shall not be subject to the provisions of  
49 section 1-210, as amended, or review by any other department, unless  
50 the Department of Public Health deems such review necessary as a

51 result of an administrative action.

52 [(c)] (d) The Commissioner of Public Health, in consultation with  
53 the Commissioner of Environmental Protection and the Public Utilities  
54 Control Authority, shall adopt regulations in accordance with the  
55 provisions of chapter 54. Such regulations shall include a method for  
56 calculating safe yield, the contents of emergency contingency plans  
57 and water conservation plans, a process for approval, modification or  
58 rejection of plans submitted pursuant to this section, a schedule for  
59 submission of the plans and a mechanism for determining the  
60 completeness of the plan. The plan shall be deemed complete if the  
61 commissioner does not request additional information within ninety  
62 days after the date on which the plan was submitted or, in the event  
63 that additional information has been requested, within forty-five days  
64 after the submission of such information, except that the commissioner  
65 may request an additional thirty days beyond the time in which the  
66 application is deemed complete to further determine completeness. In  
67 determining whether the water supply plan is complete, the  
68 commissioner may request only information that is specifically  
69 required by regulation. The Department of Environmental Protection  
70 and the Department of Public Utility Control, in the case of any plan  
71 which may impact any water company regulated by that agency, shall  
72 have ninety days upon notice that a plan is deemed complete to  
73 comment on the plan.

74 [(d)] (e) Any water company, when submitting any plan or revision  
75 or amendment of a plan after July 1, 1998, which involves a forecast of  
76 land sales, abandonment of any water supply source, sale of any lands,  
77 or land reclassification, shall provide notice, return receipt requested,  
78 to the chief elected official of each municipality in which the land or  
79 source is located, the Nature Conservancy, the Trust for Public Land  
80 and the Land Trust Service Bureau and any organization on the list  
81 prepared under subsection (b) of section 16-50c, as amended. Such  
82 notice shall specify any proposed abandonment of a source of water  
83 supply, any proposed changes to land sales forecasts or any land to be

84 designated as class III land in such plan. Such notice shall specify the  
85 location and acreage proposed for sale or reclassification as class III  
86 land, identify sources to be abandoned and shall be provided no later  
87 than the date of submission of such plan or revision. Such notice shall  
88 indicate that public comment on such plan or revision shall be received  
89 by the Commissioners of Public Health and Environmental Protection  
90 not later than sixty days after the date of notice. The Commissioner of  
91 Public Health shall take such comment into consideration in making  
92 any determination or approval under this section.

This act shall take effect as follows:	
Section 1	October 1, 2002

***Statement of Purpose:***

To develop a source water assessment program to determine how susceptible a source of water is to contamination.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*